

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: JOHN HARRISON BAKER, M.D.
License No.: 0101-040892

CONSENT ORDER

The Virginia Board of Medicine ("Board") and John Harrison Baker, M.D., as evidenced by their signatures affixed below, agree to enter into this Consent Order affecting the license of Dr. Baker to practice medicine in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Board adopts the following findings of fact and conclusions of law in this matter:

1. Dr. Baker was issued license number 0101-040892 by the Board to practice medicine and surgery in the Commonwealth of Virginia on June 1, 1987. Said license is currently active and will expire on April 30, 2016, unless renewed or otherwise restricted.

2. Dr. Baker is in violation of Section 54.1-2915.A(2), (4), and (14) of the Code of Virginia (1950), as amended ("Code"), in that he is not able to practice medicine with reasonable skill and safety due to alcohol abuse, as evidenced by:

a. Findings in Consent Orders that Dr. Baker entered into with the North Carolina Medical Board on October 20, 2014 and December 8, 2014, respectively, to include the following:

- Dr. Baker has a history of alcohol abuse and has participated in the North Carolina Physician's Health Program ("NCPHP") since November 2011;
- Dr. Baker completed residential treatment for this condition at a substance abuse treatment facility in April 2012;
- On or about July 14, 2014, Dr. Baker experienced a relapse when he

consumed alcohol on a lunch break from his work office, in violation of his NCPHP contract not to consume alcohol;

- In light of the foregoing incident, Dr. Baker signed a private non-practice agreement with the North Carolina Medical Board on or about July 15, 2014, the terms of which prohibited Dr. Baker from practicing medicine in North Carolina until permitted to do so by the North Carolina Medical Board;

- The October 20, 2014 North Carolina Consent Order reprimanded Dr. Baker for consuming alcohol at work and converted his private non-practice agreement into a public non-practice agreement;

- In the December 8, 2014 Consent Order, the North Carolina Medical Board (after meeting with Dr. Baker at its November 2014 Board meeting) dissolved the public non-practice agreement imposed under the October 20, 2014 Consent Order and allowed Dr. Baker to resume the practice of medicine in North Carolina subject to terms and conditions that (among other things) required Dr. Baker to maintain and abide by his monitoring contract with the NCPHP, to abstain from alcohol and all mood-altering substances, to submit to random urine, blood, hair or other testing to detect the presence of controlled substances, and to meet with the North Carolina Medical Board again for an investigative interview in November 2015.

b. Dr. Baker's admission in both North Carolina Consent Orders that he was

unable to practice safely as a physician by reason of his use of alcohol. Further, in written correspondence to a Virginia Department of Health Professions' Investigator (dated March 24, 2015), Dr. Baker admitted that he had consumed alcohol at lunch on or about July 14, 2014 and then saw patients about an hour later.

3. Dr. Baker is in violation of Section 54.1-2915.A(5) of the Code by virtue of the two North Carolina Consent Orders that imposed restrictions on his license to practice medicine in North Carolina, as discussed above.

4. The Executive Director of the North Carolina Medical Board reported that, as of June 8, 2015, Dr. Baker was fully compliant with the North Carolina Consent Orders. Further, on or about June 4, 2015, the Executive Director of NCPHP reported that Dr. Baker was fully compliant with his monitoring contract, which requires Dr. Baker to abstain from the use of alcohol or other controlled substances, to attend self-help support groups, to meet with NCPHP staff on a regular basis, and to submit to random urine drug screening. The NCPHP Executive Director also reported that all urine drug screens for Dr. Baker have been negative subsequent to the July 14, 2014 incident and that the NCPHP was pleased with Dr. Baker's progress to date and advocated for his safety to practice medicine.

CONSENT

I, John Harrison Baker, M.D., by affixing my signature hereto, acknowledge that:

1. I have been advised specifically to seek the advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me,

except pursuant to the Virginia Administrative Process Act, § 2.2-4000.A et seq. of the Code of Virginia;

3. I have the following rights, among others:

- a. the right to an informal conference before the Board; and
- b. the right to appear in person or by counsel, or other qualified representative before the agency.

4. I waive all rights to an informal conference;

5. I admit the truth of the above Findings of Fact and Conclusions of Law contained herein and agree not to contest the Findings of Fact, Conclusions of Law, or any sanction imposed hereunder in any future judicial or administrative proceedings where the Board is a party; and

6. I consent to the following Order affecting my license to practice medicine in the Commonwealth of Virginia.

ORDER

WHEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, and with the consent of the licensee, it is hereby ORDERED that John Harrison Baker, M.D., is issued a REPRIMAND.

It is further ORDERED that, within thirty (30) days from entry of this Consent Order, Dr. Baker shall provide evidence of entry into the Virginia Health Practitioners' Monitoring Program ("HPMP"). Thereafter, Dr. Baker shall remain in HPMP and comply fully with the terms of his contract(s), and any addenda thereto, until he successfully completes the program. In accordance with Dr. Baker's contract, the Board will be notified of any noncompliance, dismissal or resignation

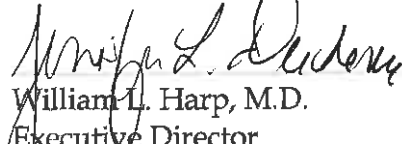
from HPMP.

Dr. Baker shall maintain a course of conduct in his practice as a physician commensurate with the requirements of Title 54.1, Chapter 29 of the Code and all laws of the Commonwealth.

Violation of this Order may constitute grounds for suspension or revocation of Dr. Baker's license. In the event that Dr. Baker violates this Order, an administrative proceeding may be convened to determine whether such action is warranted.

Pursuant to Section 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD:

For 
William L. Harp, M.D.
Executive Director
Virginia Board of Medicine

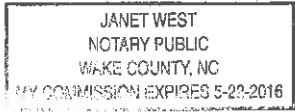
10/21/15
ENTERED

SEEN AND AGREED TO:

John Harrison Baker, M.D.
John Harrison Baker, M.D.

STATE OF NORTH CAROLINA
COUNTY/CITY OF Durham, TO WIT:

Subscribed and sworn to before me, the undersigned Notary Public, in and for the State of North Carolina, at large, this 15th day of October, 2015, by John Harrison Baker, M.D.



Janet West
Notary Public

Registration Number: _____

My commission expires: 05-22-2016